

FORM PTO-1390  
(REV 01-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET  
NUMBER:  
**095309.55775US**

U.S. APPLICATION NO. (if known, see 37  
FR 1.5)  
**10/519996**

INTERNATIONAL APPLICATION NO.  
**PCT/EP2003/005272**

INTERNATIONAL FILING DATE  
**20 May 2003**

PRIORITY DATE CLAIMED  
**5 July 2002**

## TITLE OF INVENTION

**Method and Arrangement for Purifying Gases Fed to a Fuel Cell by Removing Operational Unfavorable Constituents**

APPLICANT(S) FOR DO/EO/US

**Dirk SCHROETER**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached herewith.
  - b. ☐ has been previously submitted under 35 USC 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4))
10. ☒ An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Item 11. to 20. below concern other document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification and marked-up copy thereof.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 USC 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 USC 154(d)(4)
20. ☒ Other items or information:
  - a. International Preliminary Examination Report; and
  - b. International Search Report.

04 JAN 2005

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/519996		PCT/EP2003/005272		095309.55775US	
21. The following fees are submitted:				CALCULATIONS	PTO USE ONLY
				\$	
<input checked="" type="checkbox"/> a) Basic national fee.....		\$300.00		\$300.00	
<input checked="" type="checkbox"/> b) Examination fee.....		\$200.00		\$200.00	
<input checked="" type="checkbox"/> c) Search fee.....		\$500.00		\$500.00	
TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$1000.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each add'l 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	24 - 20 =	2	X \$50.00	\$100.00	
Independent Claims	2 - 3 =	0	X \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 230.00	
<input type="checkbox"/> Applicant claims Small Entity Status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$1230.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$1230.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEE ENCLOSED =				\$1230.00	
				Amount to be: refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$1230.00 for the filing fee is enclosed					
b. <input type="checkbox"/> Please charge my Deposit Account No. 05-1323 (Attorney Docket No. ==) in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. 05-1323. (ATTORNEY DOCKET NO. 095309.55775US) A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Crowell & Moring, LLP				SIGNATURE	
Intellectual Property Group				Jeffrey D. Sanok	
P.O. Box 14300				NAME	
Washington, D.C. 20044-4300				32,169	
Tel. No. (202) 624-2500				REGISTRATION NUMBER	
Fax No. (202) 628-8844				January 4, 2005	
JDS:pct				DATE	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : (To be assigned) Confirmation No. : (To be assigned)  
First Named Inventor : Dirk SCHROETER  
Filed : January 4, 2005  
TC/A.U. : (To be assigned)  
Examiner : (To be assigned)

Docket No. : 095309.55775US  
Customer No. : 23911

Title : Method and Arrangement for Purifying the Gases that are  
to be Fed to a Fuel Cell for Operation by Removing  
Constituents Which are Unfavorable to the Fuel Cell  
Operation

**SUBMISSION OF SUBSTITUTE SPECIFICATION**


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is a Substitute Specification and a marked-up copy of the original specification. I certify that said substitute specification contains no new matter and includes the changes indicated in the marked-up copy of the original specification.

Respectfully submitted,

January 4, 2005

  
Jeffrey D. Sanok  
Registration No. 32,169

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